

**GUIDELINES FOR ISSUING MEDICAL
CERTIFICATES AND MEDICAL REPORTS - 2019**



KINGDOM OF BHUTAN

**BHUTAN MEDICAL AND HEALTH COUNCIL
ROYAL GOVERNMENT OF BHUTAN**

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Guidelines for Issuing Medical Certificates and Medical Reports - 2019

As laid down under Medical and Health Council Act, and its Rules and Regulations, the Guideline for issuing Medical Certificate is as stated hereunder.

Preliminary

1. This guideline shall be called the Bhutan Medical and Health Council Guidelines for Issuing Medical Certificates and Medical Reports, 2019.
2. This guideline outlines the medico-legal obligations of the medical and health professionals, registered with the Bhutan Medical and Health Council, in relation to issuing medical certificates and reports.
3. This guideline shall come into force from 1st July 2019 corresponding to 28th day of the 5th Month of Female Earth Pig Year.

Purpose of this Guideline

4. This guideline shall be the basis for the medical and health care professionals registered under the Bhutan Medical and Health Council in meeting their legal and professional obligations when issuing medical certificates and reports in compliance with relevant laws.
5. The privilege of issuing medical certificates and reports shall be delegated to various levels of health and medical professionals as outlined in Appendix I of this guideline. Accruing privilege

entails responsibility and accountability. Therefore, the ultimate responsibility for issuing medical certificates and any consequences resulting thereof shall rest solely with each medical and health professional.

Definition

6. Unless the context other requires, the term:
 - 1) **Accident** means any unintended or unforeseen event or mishap arising from any activity that results in injury, disability or death to an individual.
 - 2) **Council** means the Bhutan Medical and Health Council.
 - 3) **Death** means the end of life following permanent cessation of all bodily functions.
 - 4) **Dependent** means an individual's family member who is wholly or partly dependent on an individual's earnings at the time of the individual's death.
 - 5) **Disability** means the inability to perform a range of tasks to a reasonable standard considered normal for a particular job or work activity due to some physical or mental or sensory impairment.
 - 6) **Doctor** means the medical doctor.
 - 7) **Immediate Family Members** means the spouse, children and parents of the individual and spouse.
 - 8) **Injury** means any physical, mental, or emotional deprivation or damage to a person resulting from an accident or exposure

to risk over a period of time or any other unlawful acts.

- 9) **Medical Certificate** means a certificate signed by a registered medical and /or health professional in accordance with the Bhutan Medical and Health Council Act and Regulations.
- 10) **Occupational disease** means any illness or sickness or ailment resulting out of the workman's occupation or employment, and is peculiar to that employment.
- 11) **Registered Health Professional** means all those professionals in the field of health and healthcare who are not covered under 'medical professionals' and includes such fields as nursing, pharmacy, physiotherapy, medical and health technology and technicians and who are duly registered with the Council.
- 12) **Registered Medical Professional** – means practitioner of the art and science of medicine including dentists and practitioners of traditional medicine and who are recognized and registered to do so by the Council.

Purpose of Medical Certificates

7. Medical certificate or reports are used for various purposes. A person may require a medical certificate or report for purposes such as:
 - 1) Medical leave – absence from place of work or Institutions due to illness or injury.
 - 2) Certificates of Medical Fitness:
 - a) For employment, scholarship in-and/or ex-country,

driving license, and visa.

- b) To Courts of law:
 - i) to be excused from attending courts due to illness or injury. (To be issued on Court order when a person does not attend court citing medical reasons).
 - ii) To be interviewed /or to plead and/or stand trial in the court of law.
 - iii) To be detained or imprisoned on grounds of mental ill-health or other medical conditions.
 - c) To be exempted from performing certain functions, such as sitting for an examination, engaging in work that requires much exertion, disability due to illness or injury that prevents a person from attending to some aspects of his job requirements.
 - d) To perform duties after a person rejoins his/her duties after availing medical leave.
- 3) Maternity Leave Certification for certification of pregnancy and/or child birth.
 - 4) Insurance purposes:
 - a) On the request of the Insurer – to assess the suitability of acceptance for insurance and to claim to recover an insurance award.
 - 5) Disability certificates for certification of disability of an individual.
 - 6) Paternity Leave certification on furnishing Certification of

child birth by the individual's spouse.

- 7) Medical condemnation certification for provident fund, when an individual is medically condemned or retires on medical grounds.
- 8) Death Certificate for certification related to medical cause of death of a person for legal proof of death, insurance claims, bereavement leave, welfare schemes and/or any other death related claims.
- 9) Miscellaneous:
 - a) Certification of testamentary capacity to ascertain true mental state of a person at the time of making a will.
 - b) Vaccination certificates;
 - c) Change of occupation on medical grounds;
 - d) Change of work place on medical grounds; and
 - e) Verification of age of a person/child.

Power to Certify

8. Any medical certificate or report, as specified under this Guideline shall be issued only by medical and/or health professional who are registered with the Council as per existing Government policy. The various types of medical certificates or reports that may be issued by the medical or health professionals are as prescribed under Appendix I.

Implications for Medical and Health Professionals

Limitations

9. The medical and health professionals in general should limit issuing medical certificate or reports only in respect of the area of practice in which they are registered.

For example;

- a) The pharmacists will limit the provision of medical certificates primarily in relation to – the supply, compounding or dispensing of medicine, and –to the provision of professional pharmacy services including advice on safe and effective use of medicines;
- b) Dentists can complete a medical certificate if the origin of the injury or disability is dental-related;
- c) Nurses and Community Health Professional can complete the medical certificate related to pregnancy and child-birth;

No obligations

10. The health professionals other than medical doctors and specialists, in general, are not obliged to issue medical certificates when requested.
11. Where the request for medical certificate or report is made through court order or by any authorized government or non-governmental official and the document so requested pertains to the illness or death of a person that was attended to by the professional concerned, the professional may submit the medical

certificate or report.

12. In instances where a medical or health professional is subjected to pressure, or feel uncomfortable or unsure about issuing a medical certificate at any time, then the concerned medical or health professional shall decline from issuing a certificate.
13. Where a medical or health professional decides not to issue a medical certificate or report (following a consultation with a specialist or due to the adopted policy of not to issue certificates), appropriate guidance shall be provided to the person applying for such documents on other available avenues.

Liabilities

14. The medical and health professional must be aware that issuing a medical certificate or report has implications for the patients, as well as themselves, and the agency receiving the certificate. Certificates, for instance, may have financial implications for the patient and the recipient through benefits, employment and compensation payments or insurance claims and the failure to issue a certificate or include certain information may impact negatively on the patient or the patient's family.
15. Issuing medical certificate may directly affect the safety and security of others. Certifying a patient to undertake work when he or she is unfit may place the patient or patient's colleagues at risk.
16. Providing misleading or untrue information, both deliberately or negligently, constitute professional misconduct and may result in disciplinary action under the provisions of Medical and Health

Council Act.

17. Medical and health professionals may be legally challenged and can be summoned in the courts to justify their clinical certification.
18. Some of the risks involved in issuing medical certificates or reports includes but not limited to:
 - 1) Allegations of negligence;
 - 2) Allegations of professional misconduct;
 - 3) Disciplinary actions following professional misconduct/ negligence;
 - 4) Breach of legal requirements including issuing medical certificates outside one's area of practice; or
 - 5) Insurance complications.

General Considerations

Conflict of Interest

19. The medical and health professionals shall not issue medical certificates or reports to themselves or immediate family members.

Referral to a Medical Practitioner/ Medical Board of Doctors

20. The medical and health professionals shall seek consultation with a specialist for injuries and illnesses which are beyond his/her expertise.

21. Medical certification for the purpose of medical leave shall be as per the requirement of the respective organizations.

For instance, as per the Bhutan Civil Service Rules and Regulations, the civil servants availing medical leave beyond 1 month must be approved or endorsed by the medical board of doctors appointed by the Ministry of Health.

22. Medical certification for assessment of disability or compensation claims shall be as per the requirement of the respective organizations.

Privacy and Confidentiality

23. The medical and health professionals are obliged to respect and safeguard privacy and confidentiality of patient information in the course of issuing medical certificates and reports.
24. The medical and health professional shall hand over the medical certificate or reports to the applicant personally or be delivered to the relevant authority that had requested for such a document.
25. The medical and health professional shall provide additional information regarding the individual's illness or disability if required by the law.

Documentation

26. The medical and health professionals shall maintain a copy of the record of the consultation (interview, examination and investigation findings) for issuance of the medical report.

27. The medical and health professional shall keep the record of the consultation (interview, examination and investigation findings) in a secure and confidential manner and it can be accessible only to authorized official.
28. All records shall be maintained as mentioned under the Medical and Health Council Regulation.

General Procedures and Contents of Medical Certificates and Reports

29. The general procedures involved in issuing a medical certificate or report shall be as follows:
 - 1) Receive a request or written application;
 - 2) Provide the person with information about the service;
 - 3) Conduct a consultation – interview, examination, laboratory investigations, reference to medical documents (e.g., birth register, patient case sheets) and consultations with relevant specialists where required;
 - 4) Document the findings and assess whether or not to issue medical certificate or report;
 - 5) Complete a medical certificate or report if one is to be issued; and
 - 6) Receive payment for the service, wherever applicable.
30. A medical certificate or report is a legal document and therefore the medical certificates and reports shall:
 - 1) Be written legibly;

- 2) Be written on letter head or on forms designed specifically for this purpose as prescribed in Appendixes II to VII or as designed by any other agency;
- 3) Be in plain English/Dzongkha, minimizing the use of technical or medical terms;
- 4) Be based on the facts known to the practitioners and based on their own observations made;
- 5) Contain the date of the consultation;
- 6) Contain the date of the certification;
- 7) Contain the name, age, gender, and Citizenship Card or any other valid documents of the person examined;
- 8) Be completed by a registered medical or health practitioner who is authorized to do so;
- 9) Contain the name, designation and BMHC Registration number and seal of the certifier; and
- 10) Not be backdated or pre-dated; but where the need is genuinely established, retrospective certificates should be clearly identified as such.

Specific Considerations

Medical Leave

31. Only a treating practitioner shall issue medical leave certificates as specified under appendix- I.
32. A provisional diagnosis is generally required for short term leave less than 1 month.

33. The medical and health professional is obliged to obtain sufficient factual information through history and examination and laboratory investigations where necessary to certify unfit for work.
34. The medical and health professional shall not disclose any confidential information of the patient unless required by the law.
35. The medical and health professional issuing the certificate shall mention the nature of illness or injury, whether fit for duty or not, and recommended period of leave.
36. The treating Clinical Officer, Drungtsho, Menpa, Health Assistant, Medical Doctors shall certify medical leave up to 2 weeks. The period of leave granted shall not exceed three days at a time with further extension of leave if indicated on review of the patient.
37. Only by a Medical Doctor shall certify medical leave exceeding 2 weeks and extending up to one month. The period of leave granted shall not exceed 2 weeks at a time with possibility for further extension of leave, if indicated on review of the patient.
38. Backdating and change of date should not be allowed, except in the case of 'indoor patients' where the certifying medical or health professional must justify such leave after considering the nature of the illness.
39. The treating doctor shall certify the maternal leave for live birth, miscarriage or still births.

Medical Fitness for Employment

40. The medical and health professional shall collect factual information through history and clinical examination to detect signs and/or symptoms of infectious diseases, defective sensory organ functions, or any obvious deformity or disability in person.
41. The medical and health professional shall assess the nature of the job the person is applying for and whether or not the patient's present conditions would enable him/her to carry out the requirements of the work.
42. Additional tests may be done as per the requirement of the respective agency.
43. The certificate shall be valid for a period of 6 months from the date of issuance of the certificate unless otherwise specified.

Medical Certification for Exemption from attendance in Courts of Law

44. The medical professional shall exercise utmost caution in issuing such a certificate.
45. The medical professional must be fully aware of his/her responsibilities to the patient on one side and his legal obligations to facilitate the administration of natural justice.
46. The medical professional shall act on his own convictions and base the certification on the objective observations made from the patient consultation. The court may request a second opinion from another medical professional.

47. The medical and health professional shall state in the certificate the period for which the person is not fit to attend court and the likely period on which he/she is likely to recover and be fit to attend court.
48. If the certifying medical professional is of the opinion that the person is trying to avoid attending courts by resorting to various means and later requests a medical certificate to escape the court attendance, no certification shall be issued and such facts shall be disclosed to the court.

Medical Fitness for Detention / Fitness to Stand Trial or Plead

49. The treating Specialist or a Psychiatrist shall base the certification process on the objective assessment of the presence or absence of illness, injury or other medical conditions that endangers the person's life or severely impairs the person's judgment, reasoning and understanding power, when produced by police or on court order.
50. The medical and health professional may be liable for negligence if the person produced for medical evaluation is allowed by the treating medical and health professional to be detained and where the patient subsequently dies in detention.

Disability or Occupational Disease Certification

51. The Medical Board of Doctors shall ascertain the nature of disability or occupational disease of the patient and certify as per the requirement of the respective organization.
52. The Medical Board of Doctors shall disclose the information if

the injury, disability or disease was aggravated by certain habits or behaviors of the patient, such as, (i) consumption of substance of abuse, (ii) failure to comply with safety measures, and (iii) not following medical advice.

Injury

53. The treating medical and health professionals shall ascertain the nature of injury of the patient and certify as per the requirement of the respective organization.
54. The treating medical and health professional shall disclose the information if the injury, disability or disease was aggravated by certain habits or behaviors of the patient, such as, (i) consumption of substance of abuse, (ii) failure to comply with safety measures, and (iii) not following medical advice.

Medical Certificates for Insurance Purposes

55. The insuring agency may request for medical certificate in writing on behalf of the individual (insured) to assess his/her suitability to be accepted for insurance policy. In such case, the medical professional shall disclose the correct and accurate information even if that person may not be benefitted as a result.
56. The insuring agency may request for certificates for insurance claims either for recovery of health care expenses of the insured person or for insurance benefits to the family members upon death of the insured person. The certifying medical professional shall issue such certificates and in the case of death benefits, the certificates must be handed over to the proper legal claimant.

57. If the certifying medical professional is of the opinion that the injury, disability, disease or death was aggravated by the insured person's habits/actions/behaviours, then such facts may be mentioned in the certificates or reports.

Notification of Birth

58. Only the medical or health professional who have attended to child birth shall certify the notification of birth. The certifier shall affix his/her name, signature, designation, BMHC Registration number and name of the health centre.

Birth Certificate

59. The Birth Certificate may be issued after the facts to childbirth have been verified from the Birth Register maintained in the respective health centre based on following verification of documents.
- 1) Verification letter issued by Department of Civil Registration & Census;
 - 2) Mother & Child Health Handbook if it is for a child; and
 - 3) Delivery Registry of Hospital

Miscellaneous

60. Any blank or unfilled certificates or report forms in stock shall be stored in a secure place to avoid misuse.
61. The receiving agency has the right to accept or reject a certificate or request for second opinion from another medical or health professional.

Revision of Guideline

62. The Council shall revise the Guideline from time to time to suit the requirements of the changing times and evolving laws.

Appendix – I

Categories of Certifiers according to the nature /purpose of the medical certificate or reports

Sl. No.	Certificate	Who may certify/ notify	Remarks
1	Birth notification.	Whoever attends the birth-Nurses/Health workers.	As per the hospital records.
2	Birth Certificate (both delivered at home and Healthcare Centre).	Medical Superintendent of referral Hospitals/CMOs of District Hospitals.	Based on the hospital record/MCH Book/ Citizenship Identity Card/any letter from MoHCA/notification from Local Government Authority.
3	Pregnancy/termination of pregnancy.	Health professionals who have attended the birth.	For all deliveries attended by medical and health Professional
4	Medical Leave	HA /Drungtsho/ sMenpa	Maximum leave up to 2 weeks; (1-3 days leave at a time with review and further extension, if required).
		Medical Doctor	Maximum up to one Month (Two weeks leave at a time with further extension, if required, on review).
		Medical Board of Doctors after being verified by the treating physician	Leave exceeding one month
5	Disability Certification	Medical Board of Doctors	As per the requirement of the respective agency.
6	Occupational Disease Certification	Medical Board of Doctors	As per the requirement of the respective agency.
7	Medical Fitness for employment	Medical Doctors	As per the requirement of the respective agency.

8	Aviation Industry	Civil Aviation Medical Examiner	As per the requirement of the respective agency
9	Medical fitness to Resume Work	Treating Doctor/ Medical Board of Doctors when required.	As per the requirement of the respective agency.
10	Medical fitness for scholarship/training abroad.	Doctors/Doctors designated by the respective Country.	As per the requirement of the respective agency.
11	Medical fitness for suitability for insurance Schemes.	Medical Doctor	As per the requirement of the respective agency.
12	Medical fitness to obtain a driving license	Doctor	As per the requirement of the respective agency.
13	Medical fitness to stand trial	Specialist and/or Medical Board of Doctors	
14	Medical fitness for detention	Medical Doctors	
15	Certification for testamentary capacity	Psychiatrist	
16	Certificates for Vaccination: a) International certification	Head of the Medical Facility/Health professional who have vaccinated	
	b) Routine Vaccination.	In-charge of BHUs/ MCH Clinic	
17	Certification of age of a person/child.	Forensic Specialist with the help from Radiologist/dental surgeon/orthopedic/ and any other relevant specialist.	

18	Medical report	Health professionals /Doctor/specialist who have attended to the patient.	For Injury/ Rape/Sexual Assaults. (In centers where no forensic medicine unit exists or not available)
		Health professionals of Forensic Medicine Department.	
19	Certification for exemption from certain aspects/activities of a person's job requirements	Treating Medical Doctors/ Specialist	
20	Death Certification		
	a) At Healthcare Centre	Medical Doctors	In healthcare centers including Traditional in-patient facility.
	b) Outside of Healthcare Centre and not investigated by the Medical and Health professionals.	Gup/Mangmi/Thrompon/elected representative of dzongkhag thromde, yenla throm.	As per the MoHCA's requirement



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MEDICAL LEAVE CERTIFICATE

Ref. No:

I certify thatCID No.
 Employee /student/resident of.....

- o Was unable to attend work / school
 - o Will be unable to attend work/school
- from..... to.....

Additional comments:

Signature of Certifier:

Name:

Designation:

BMHC Reg. No.:

Health Centre:

Date (certificate is signed):

Official Seal:



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FITNESS TO RESUME WORK
(required for employees who have been on sick leave)

Ref. No:

I have examinedon
 and can certify that she/he is able to resume working on /from

Additional comments:

Signature of Certifier:

Name:

Designation:

BMHC Reg. No.:

Health Centre:

Date (certificate is signed):

Official Seal:



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MEDICAL BOARD OF DOCTORS

Ref. No:

The Board reviewed the documents of
age/sex..... bearing Citizenship ID Card no.....on

Upon review of the nature of illness and medical interventions, the Board
recommends medical leave from.....to.....

Enclosure: The detail medical documents are attached.

Signature and name Chairperson

Medical Board of Doctors

(Seal)

(Seal of the Hospital)



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MEDICAL FITNESS CERTIFICATE

Ref. No:

This is to certify that.....age/sex.....
 bearing Citizenship ID Card No. candidate for

 has been examined and found that he/she has no disease (communicable or
 otherwise), weakness or bodily infirmity, except

The findings are as follows:

BP: **CVS:** **CNS:** **RS:**

Others/Investigations:

This is not a disqualification for the purpose that the candidate is applying for.

Signature of Certifier:

Name:

Designation: BMHC Reg. No.:

Health Centre:

Date (certificate is signed):

Official Seal:



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CERTIFICATE FOR MATERNITY LEAVE

Ref. No:

I certify that Mrs.bearing
Citizenship card No.

- a) *Is/was pregnant with estimated date of delivery on*
- b) *Has delivered a live baby boy/girl/(twins) on*
- c) *Had miscarriage on.....*
- d) *Had still born on.....*

The MCH/Hospital Reg. No.

Signature of Certifier:

Name:

Designation:

BMHC Reg. No. **Date (certificate is signed):**

Health Centre:

Official Seal:



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BIRTH CERTIFICATE

Ref. No:

This is to certify that Mr/Mrs.
 son/daughter of Mr. and
 Mrs. of village
 and Geog Dzongkhag
 was born on as per the hospital record/Census record/
 Mother and Child Health Book.

Signature of Certifier:

Name:

Designation:

BMHC Reg. No. Date (certificate is signed):

Health Centre:

Official Seal: